

JUN 20 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/644,135
Filed : 08/20/2003
Confirmation No. : 5329
For : Electric Fluid Servo Valve and Method of
Making Same
Inventor(s) : Greg E. Ford, Harold L. Bowman
Art Unit : 3753
Examiner : John C. Fox
PDS No. : 02-ASD-334 (EM)

Commissioner for Patents
Mail Stop Petitions
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being
facsimile transmitted to the Patent and Trademark
Office (Fax (571) 273-8300) on June 20, 2006

6/20/06

^{Date}
Teresa Bonsall
Teresa Bonsall

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION

Dear Sir:

Applicant respectfully requests withdrawal of the holding of abandonment of the above-referenced application. Applicant hereby states that:

1. Applicant never received the original Office Action dated September 14, 2005.
2. Applicant has searched the file jacket and docket records and did not find anything indicating that the Office Action was ever received.
3. Applicant learned of the missing Office Action for the first time when Applicant received the Notice of Abandonment dated May 12, 2006. Applicant obtained a copy of the original Office Action via Public PAIR to prepare the response.
4. Applicant has attached a Declaration of Scott Rossi, who is in charge of docketing for Eaton Corporation, stating that the original Office Action was never received and therefore was not docketed.

5. Applicant believes that no fees are due. However, the Commissioner is hereby authorized to charge any fees, which may be required or credit any overpayment to Account No. 05-0275.

Respectfully submitted,



Anna M. Shih
Registration No. 36,372
Eaton Corporation
26201 Northwestern Hwy.
P. O. Box 766
Southfield, MI 48037
(248) 226-6821

Dated: 06/20/06

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Teresa Bonsall

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DECLARATION OF SCOTT ROSSI

Dear Sir:

I, Scott Rossi, declare as follows:

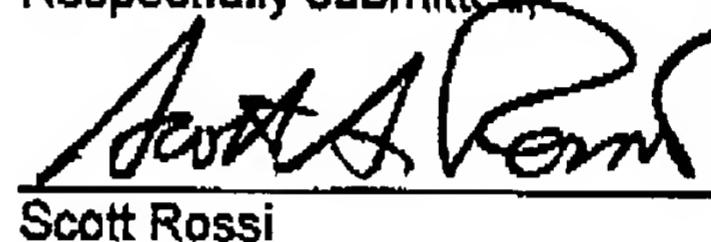
1. I am the docketing specialist for Eaton Corporation's Patent Law Department. My responsibilities include receiving incoming mail from the U.S. Patent and Trademark Office and entering it into our docketing system.
2. I did not receive the original Office Action dated September 14, 2005 for the above-named case.
3. I searched the file jacket and docket records and did not find anything indicating that the Office Action was ever received by us.
4. I learned of the missing Office Action for the first time when Applicant received the Notice of Abandonment dated May 12, 2006.
5. I obtained a copy of the original Office Action via Public PAIR for Anna M. Shih to prepare the response.
5. I updated our docketing records to include the missing Office Action as

soon as I received the Notice of Abandonment. Because of the limitations of our computer docketing system and backup system, we are not able to obtain a copy of the docket record to show where the non-received Office Action would have been entered had it been received and docketed.

6. To date, nothing in our records or files indicate that we have ever received the September 14, 2005 Office Action from the USPTO.

All the above statements are true and correct to the best of my knowledge.

Respectfully submitted,



Scott Rossi

Dated: 06/20/06

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